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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|--|----------------------|-----------------------|---------------------|------------------|
| 10/617,625 | 07/10/2003 | Ulug Bayazit | 2102484-902002 | 4266 |
| 26379 7590 01/16/2007 DLA PIPER RUDNICK GRAY CARY US, LLP 2000 UNIVERSITY AVENUE | | | EXAMINER | |
| | | | VO, TUNG T | |
| E. PALO ALTO |), CA 94303-2248 | ART UNIT PAPER NUMBER | | PAPER NUMBER |
| · | | | 2621 | |
| SHORTENED STATUTORY | Y PERIOD OF RESPONSE | MAIL DATE | DELIVER | Y MODE |
| 31 D/ | AYS | 01/16/2007 | PAPER | |

Please find below and/or attached an Office communication concerning this application or proceeding.

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

| | Application No. | Applicant(a) | | | |
|--|---|--|--|--|--|
| · | Application No. | Applicant(s) | | | |
| Office Action Summer | 10/617,625 | BAYAZIT, ULUG | | | |
| Office Action Summary | Examiner | Art Unit | | | |
| | Tung Vo | 2621 | | | |
| The MAILING DATE of this communication app Period for Reply | ears on the cover sheet with the c | orrespondence address | | | |
| A SHORTENED STATUTORY PERIOD FOR REPLY WHICHEVER IS LONGER, FROM THE MAILING DA - Extensions of time may be available under the provisions of 37 CFR 1.13 after SIX (6) MONTHS from the mailing date of this communication. - If NO period for reply is specified above, the maximum statutory period w - Failure to reply within the set or extended period for reply will, by statute, Any reply received by the Office later than three months after the mailing earned patent term adjustment. See 37 CFR 1.704(b). | ATE OF THIS COMMUNICATION 36(a). In no event, however, may a reply be tin rill apply and will expire SIX (6) MONTHS from cause the application to become ABANDONE | N. nely filed the mailing date of this communication. D (35 U.S.C. § 133). | | | |
| Status | | • | | | |
| 1) Responsive to communication(s) filed on 10 Ju | ılv 2003. | | | | |
| | action is non-final. | | | | |
| 3) Since this application is in condition for allowar | Since this application is in condition for allowance except for formal matters, prosecution as to the merits is | | | | |
| closed in accordance with the practice under E | • | | | | |
| Disposition of Claims | · | | | | |
| 4)⊠ Claim(s) <u>17-22 and 24-27</u> is/are pending in the | application. | | | | |
| 4a) Of the above claim(s) <u>1-13 and 23</u> is/are with | | · | | | |
| 5) Claim(s) is/are allowed. | | | | | |
| 6) Claim(s) is/are rejected. | | | | | |
| 7) Claim(s) is/are objected to. | | | | | |
| 8) Claim(s) 17-22, 24-27 are subject to restriction | and/or election requirement. | | | | |
| Application Papers | | | | | |
| 9) The specification is objected to by the Examine | • | | | | |
| 10) The drawing(s) filed on is/are: a) acce | | Examiner. | | | |
| Applicant may not request that any objection to the | | • | | | |
| Replacement drawing sheet(s) including the correcti | | | | | |
| 11) The oath or declaration is objected to by the Ex | aminer. Note the attached Office | Action or form PTO-152. | | | |
| Priority under 35 U.S.C. § 119 | · | • | | | |
| 12) Acknowledgment is made of a claim for foreign | priority under 35 H.S.C. & 110/a |)-(d) or (f) | | | |
| a) ☐ All b) ☐ Some * c) ☐ None of: | priority under 33 G.G.G. § 113(a) | -(d) 51 (1). | | | |
| 1. ☐ Certified copies of the priority documents | s have been received. | | | | |
| | | | | | |
| <u> </u> | 3. Copies of the certified copies of the priority documents have been received in this National Stage | | | | |
| application from the International Bureau | · | | | | |
| * See the attached detailed Office action for a list | of the certified copies not receive | ed. | | | |
| | | | | | |
| | | | | | |
| Attachment(s) | | | | | |
| 1) Notice of References Cited (PTO-892) | 4) Interview Summary | | | | |
| 2) Notice of Draftsperson's Patent Drawing Review (PTO-948) 3) Information Disclosure Statement(s) (PTO/SB/08) | Paper No(s)/Mail Da 5) Notice of Informal P | | | | |
| Paper No(s)/Mail Date | 6) Other: | •• | | | |

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DETAILED ACTION

Election/Restrictions

1. Restriction to one of the following inventions is required under 35 U.S.C. 121:

- Claims 17-22, drawn to a signal coding comprising partitioning, transforming, and quantization for compressing bits, classified in class 375, subclass 13.
- II. Claims 24-27, drawn to a method for assigning quantization parameters, classified in class 375, subclass 240.03.

The inventions are distinct, each from the other because of the following reasons:

- 2. Inventions I and II are unrelated. Inventions are unrelated if it can be shown that they are not disclosed as capable of use together and they have different designs, modes of operation, and effects (MPEP § 802.01 and § 806.06). In the instant case, the different inventions are the coding apparatus and the method for assigning the quantization parameters.
- 3. Because these inventions are independent or distinct for the reasons given above and there would be a serious burden on the examiner if restriction is not required because the inventions have acquired a separate status in the art in view of their different classification, restriction for examination purposes as indicated is proper.
- 4. Because these inventions are independent or distinct for the reasons given above and there would be a serious burden on the examiner if restriction is not required because the inventions require a different field of search (see MPEP § 808.02), restriction for examination purposes as indicated is proper.

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5. Applicant is advised that the reply to this requirement to be complete must include (i) an election of a species or invention to be examined even though the requirement be traversed (37 CFR 1.143) and (ii) identification of the claims encompassing the elected invention.

The election of an invention or species may be made with or without traverse. To reserve a right to petition, the election must be made with traverse. If the reply does not distinctly and specifically point out supposed errors in the restriction requirement, the election shall be treated as an election without traverse.

Should applicant traverse on the ground that the inventions or species are not patentably distinct, applicant should submit evidence or identify such evidence now of record showing the inventions or species to be obvious variants or clearly admit on the record that this is the case. In either instance, if the examiner finds one of the inventions unpatentable over the prior art, the evidence or admission may be used in a rejection under 35 U.S.C.103(a) of the other invention.

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Tung Vo whose telephone number is 571-272-7340. The examiner can normally be reached on Monday-Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Mehrdad Dastouri can be reached on 571-272-7418. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Tung Vo

Primary Examiner

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